

August 5, 2003

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

Request for term extensions for eleven (11) cable television franchises in the unincorporated areas of Altadena, Azusa, Hidden Hills, Kinneloa, La Crescenta/ Montrose, Long Beach, Lost Hills, Malibu, Norwalk, South Monrovia and West Covina granted to Charter Communications Entertainment II, LLC, Marcus Cable Associates, L.L.C., Falcon Cablevision, A California Limited Partnership And Long Beach, LLC

(1ST, 3RD, 4TH, 5TH DISTRICTS) (3 VOTES)

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve amendments to extend the term of cable television franchises through December 31, 2005 in the unincorporated areas of Altadena, Azusa, Hidden Hills, Kinneloa, Long Beach, Lost Hills, La Crescenta/Montrose, Malibu, Norwalk, South Monrovia and West Covina granted by Ordinance No.12,348, as amended, Ordinance No. 82-0157F, as amended, Ordinance No. 89-0001F, as amended, Ordinance No. 86-0050F, as amended, Ordinance No. 87-0069F, as amended, Ordinance No. 85-0116F, as amended, Ordinance No. 87-0027F, as amended, Ordinance No. 84-0233F, as amended, Ordinance No. 86-0011F, as amended, Ordinance No. 84-0224F, as amended, and Ordinance No. 86-0151F, and for the Hidden Hills ordinance, amend the name of the franchise holder to reflect a previously approved transfer of a predecessor entity.
2. Introduce, waive reading and place on your Board's Agenda for adoption the attached ordinances that implement the above recommendation.

3. Find these franchise extensions are categorically exempt under the California Environmental Quality Act (CEQA) pursuant to Class 1, Section (e) of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, and Section 15301(b) of the State CEQA Guidelines.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Charter Communications Entertainment II, LLC (Altadena, Azusa, Kinneloa, Norwalk, South Monrovia and West Covina); Falcon Cablevision, a California Limited Partnership (Hidden Hills, Lost Hills and Malibu); Long Beach, LLC (Long Beach) and Marcus Cable Associates, L. L. C. (La Crescenta/Montrose) have cable television franchises with the County that expire on September 30, 2003 and on February 9, 2004 (Hidden Hills). Extension of the current franchise terms through December 31, 2005 allows the County sufficient time to negotiate the renewals of these franchises.

For the Hidden Hills franchise ordinance, the name of the franchise holder is being amended to reflect a transfer of a predecessor entity previously approved by a Director's Consent Letter dated April 11, 1994.

Implementation of Strategic Plan Goals

Approval of this recommendation will assist in implementing the Countywide Strategic Plan goal of fiscal responsibility. This will ensure the continuation of revenue provided to the County by statute.

FISCAL IMPACT/FINANCING

There will be no cost to the County. These cable television franchises generate revenue to the County. Section 622 (b) of the Cable Act of 1984 [47 U.S.C. §542 (b)] gives a local franchising authority, such as the County, the right to collect franchise fees of no more than five percent (5%) of total gross revenues collected by a cable television operator over a 12-month period. The County is collecting the maximum allowable fees and the extensions of these cable television franchises will not affect the collection of these franchise fees.

FACTS AND PROVISIONS/LEGAL REQUIRMENTS

The Office of the County Counsel has reviewed the attached ordinances and approved them as to form.

ENVIRONMENTAL DOCUMENTATION

The term extension of these cable television franchises is categorically exempt under CEQA pursuant to Class 1, Section (e) of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, and Section 15301(b) of the State CEQA Guidelines.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no impact on current services.

CONCLUSION

It is requested that the Executive Office-Clerk of the Board notify Marsha L. Berkbiger, Director Government Relations, Charter Communications, 9335 Prototype Drive, Reno, Nevada, 89511, County Counsel, the Auditor-Controller, the Department of Public Works and the Department of Consumer Affairs of the Board's action in this matter.

Respectfully submitted,

Pastor Herrera, Jr.
Director

PHJ:FT:GY

Attachments (11)

c: Chief Administrative Officer
Chief Officer, Board of Supervisors
Auditor-Controller
County Counsel
Department of Public Works